

Questions and Answers  
RFP for a Project Plan and Software Functional Requirements  
October 22, 2003

1. Is the State Bar seeking proposals for Project 1 from companies who will subsequently bid on Project 2?

Answer: Project 1 is to develop an RFP for Project 2 that different vendors will bid on. Project 1's vendor will not be able to bid on Project 2.

2. What is the approximate number of business users and technical resources that will be required to provide input to the development of functional requirements for the six modules? What percentages of the users and technical resources who will be directly involved in Project 1 are located in the San Francisco, Los Angeles and Sacramento offices respectively?

Answer: The State Bar will make available one to three technical resources and up to 20 business users. One function, supported by about five users is in San Francisco; the rest are in Los Angeles. There are no users for this system in Sacramento.

3. Is it acceptable to identify a pool of qualified consultants from which the assigned resource(s) will be selected?

Answer: Yes, you may submit a selection of qualified consultants' resumes.

4. How many State Bar committees/representatives will be involved in the review/approval process for Project 1 deliverables? What is the final sign-off process for acceptance of the Project 1 deliverables? Since the RFP includes an assumption that Project 1 can be completed in no more than six months with initial drafts of the Project 1 deliverables being developed by a single resource in 12 weeks, should it be assumed that the timeline for the review/approval process is 12 weeks or less?

Answer: Following the submission of the draft functional requirements and project plan, IT will be responsible for review/approval with input from the Office of Chief Trial Counsel. The time line is an estimate and these initial assumptions are correct.

5. If we were to propose an approach with an option to (once all the functional specifications were developed) take an additional step to evaluate packaged software, would that be okay to exclude that cost from the cost analysis (in determining the HSP). The State Bar may have already evaluated options to acquire a software product to support its needs, but that was not apparent in the RFP. The cost of evaluating software would most likely make us non-competitive with the other vendors, so we would like that step to not be included in your "Evaluation Process and highest Scored Proposer" step. We would like the step included in your review of our technical ability, as we think it could be a differentiator. Once we fully understood your business needs, we might suggest that that step be skipped as we may know that there would be no packages which could come reasonably close (say 80% of your business needs) to the functionality you require. However, we won't know that until we've completed your functional requirements, unless you've already done such analysis and can tell us that. If we were to be able to find a package which fits your needs, Phase 2 of your project would be significantly less expensive and you would

have the support of a third party provider to ensure that your systems continue to be maintained in sync with the changes in your business.

Answer: We have not seriously looked at packaged software for the Office of Chief Trial Counsel. We can tell you that the Office of the State Bar Court did extensively look at packaged software and decided to enhance their current custom system. The CTC application needs to interface with the Court and our member applications. However, we would entertain the idea of packaged software. If it is determined that packaged software will fill our needs, we will deal with the evaluation costs separately.

6. What is the proposed project budget for Phase 1 consulting services?

Answer: We are not at liberty to disclose the budget. We've assumed a reasonable rate for the duration of this project.

7. Is there sufficient documentation on the current system to help the selected consultant understand the nature of the issues the State Bar wishes to resolve by this RFP?

Answer: There is high level technical documentation, and access to business users as noted above.

8. Will State Bar personnel be available to demonstrate the current system to help the consultant understand the nature of the issues the State Bar wishes to resolve by this RFP?

Answer: Yes.

9. Is there an incumbent vendor or consultant, which previously developed the current system and are they allowed to respond to this RFP?

Answer: An incumbent vendor has assisted with development of the current system but has chosen not to respond to this RFP.

10. Is the selected consultant allowed to bid on a subsequent Project Management assignment to assist the State Bar in the successful development of the improvements identified in Phase 1 and completed in Phase 2.

Answer: Yes, there may be other departments in the bar interested in this approach.

11. The RFP requests a resource/cost estimate necessary to deliver the new software. This estimate is expected to be provided on both a fixed-price and not-to-exceed basis. Please clarify the distinction between these two estimating approaches and what preferred method the State Bar wants the selected Consultant to use to prepare these two different estimates.

Answer: We would expect that the not-to-exceed bid may not use all of its budget and the fixed price bid would. We don't have a preference.

12. It seems to me that this contract is for a period not to exceed 6 months or so. My intent on responding to this RFP would be to partner with another consulting firm that would be interested in bidding on the follow-on work in addition to this one. Is there any flexibility in this condition that allows for participation in the open bidding for the follow on work?

Answer: The following paragraph is from the RFP:

**‘L. Consulting Contracts – Prohibition on Follow-On Contracts**

No person, firm, or subsidiary thereof who has been awarded a consulting services contract may submit a bid for, nor be awarded a contract for, the provision of services, procurement of goods or supplies, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract.’

However, there may be a possible sub-contractor relationship with the Phase 2 vendor.